S.B.Cr.Misc. Bail App. No.5177/2007

(Dilip vs. State of Rajasthan)

Date of order : November 20, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.B.S.Rathore, for the petitioner.
Mr.Ashok Upadhyaya, Public Prosecutor.
Mr.Hemant Dutt, for the complainant.

Heard learned counsel for the petitioner and the Public Prosecutor for the State assisted by counsel for the complainant. Perused the order impugned as well as police investigation diary.

The allegation against the petitioner is that he inflicted injury by sword. Learned counsel for the petitioner submits that no sword has been recovered from the petitioner. Learned Public Prosecutor submits that a "Katar" has been recovered. The injury was on the hand, which is non-vital part.

Having regard to the facts and circumstances of the case and taking into account the oral arguments advanced by both the parties, I think it just and proper to enlarge the accused petitioner on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioner Dilip s/o Mani Ram be released on bail in FIR No.372/2007, P.S. Kotwali, Nagaur provided he furnishes a personal bond in a sum of Rs.20,000/- with two sound and solvent sureties in the sum of Rs.10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR),J.

m.asif/-